

Nº 50304

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... OCT 22 1986

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... OCT 22 1986

The applicant..... Western States Minerals Corporation

..... P. O. Box 29 of Elko
Street and No. or P.O. Box No. City or Town

..... Nevada 89801 hereby makes application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Utah, 1976 - Western States Coal Corporation. Utah, 1978 name changed to Western States Minerals Corporation.

1. The source of the proposed appropriation is Underground (DeWatering of an open Pit Mine)
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 3 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for Mining and Milling
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated.....

(b) Stockwater, state number and kinds of animals to be watered.....

(c) Other use (describe fully under "No. 12. Remarks".....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point SE 1/4 SW 1/4 of Section 19, T 36 N,
Describe as being within a 40-acre subdivision of public
R 50 E, MDB & M., at a point from which the SW corner of Section 30 bears
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
S 19° 54' 25" W, 6583.54 feet.

6. Place of use SE 1/4 Sec. 13; SE 1/4 NE 1/4, SE 1/4, E 1/2 SW 1/4 SEC. 23; Sec. 24; E 1/2 Sec. 25; Sec. 26;
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
E 1/2 E 1/2 Sec. 27; NE 1/4 NE 1/4 Sec. 34; N 1/2 N 1/2 Sec. 35; T 36 N, R 49 E, MDB & M., Sec. 18;
Sec. 19; Sec. 20; S 1/2 NW 1/4 Sec. 28; W 1/2 SW 1/4, N 1/2 Sec. 29; Sec. 30, T 36 N, R 50 E,
MDB & M.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, Pipelines to leach mill and storage ponds.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$75,000

10. Estimated time required to construct works 3 years
 If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The proposed mine pit will require de-watering for the continuation of mining.
 The applicant wishes to put these waters to beneficial use. The waters of this
 application are to be co-mingled with the waters of permits 48498, 48499, 48500,
 45951 and certificate 10592. The annual consumptive use for this application is
 for an additional 50,000,000 gallons per year.

By s/Alan S. Royack
 Alan S. Royack, Agent
 515 South Fifth Street
 Elko, Nevada 89801

Compared jjk/bl pm/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 37985 (Certificate 10592), 45951, 50304, 50305, 50306 and 50307 shall not exceed 128.454 million gallons annually.
 (CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second, but not to exceed 50 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 14, 1987

Proof of completion of work shall be filed on or before January 14, 1988

Application of water to beneficial use shall be made on or before December 14, 1988

Proof of the application of water to beneficial use shall be filed on or before January 14, 1989

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JAN 22 1991

IN TESTIMONY WHEREOF, I PETER G. MORROS
 State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed

my office, this 17th day of July,

Cultural map filed

A.D. 19 87

Certificate No. Issued

[Signature]
 State Engineer

218 (Rev.)

Abrogated By 55818T Exp. 1-29-92
 Temp

Abrogated By 57037T 3.0 Exp. 2-27-93

Abrogated By 57217 Cst 2-27-98

(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Dewatering must not result in any adverse affect upon surface or underground water sources.

